

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

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WRIT PETITION NO : 25840 of 1995

Between:

Karanam Musalaiah. S/o. Pothuraju
R/o. Venkanagaram village Addateegela mandalam
E.G. Dist

..... PETITIONER

AND

- 1 Collector
Kakinada E.G. Dist.
- 2 Dy. Collector Tribale Welfare
Rampachodavaram East Godavari Dist.
- 3 Mandal revenue officer
Addeateegala mandal east godavari dist.
- 4 Lasuri Gangamma W/o. late Tammayya, cultivation
Bedlanaka village Addateegala manda
E.G.diat.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to To call for the records relating to CMA.2/92. on the file of R.1 confirming the orders of R.2 in LTRP.12/90 and issue writ of CERTIORARAI or any other appropriate writ order of direction quashing the order of R.1 in CMA. 2/92 confirming the orders of R.2. in LTRP.12/90.

Counsel for the Petitioner: MR.M.LAKSHMANA SARMA, advocate

Counsel for the Respondents 1 TO 3: GP FOR SOCIAL WELFARE

Counsel FOR RESPONDENT NO.3 : -NONE PRESENT.

The Court made the following :

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HON'BLE SRI JUSTICE BILAL NAZKI

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W.P.NO. 25840 OF 1995

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ORDER:

Heard learned counsel for the petitioner. Perused the record. The petitioner has challenged an order passed by the Deputy Collector, Tribal Welfare, Rampachodavaram, East Godavari District by which he ordered the ejectment of the writ petitioner from certain piece of land and restored it to the original owner. There is no dispute that the land transferred belongs to one Smt. Lasuri Gangamma who is a Tribal, whereas the writ petitioner is a non-tribal. It had come to light that the non-tribal had transferred the land to the Tribal and during the course of proceedings the writ petitioner himself had deposed before the Deputy Collector that he had no objection to handover the schedule land to the petitioner in that case (Tribal) according to rules. In view of this statement before the authority below, this writ petition is not maintainable and deserves dismissal and is accordingly dismissed. No costs.

KR 5.8.2004

Sd/-

Asst. Registrar

//True Copy//

Section Officer

To

- 1. Collector**
Kakinada E.G. Dist.
- 2 Dy. Collector Tribale Welfare**
Rampachodavaram East Godavari Dist.
- 3 Mandal revenue officer**
Addeateegala mandal east godavari dist.
- 4. 2CCs to G.P. for Social Welfare, High Court's building, Hyderabad (out)**
- 5. 2CD copies**